

REMARKS

Status of claims

Claims 1, 5-14, and 18-20 remain in this application. Claims 1, 5, 6 and 12 are currently being amended. Claim 16 has been canceled. New claim 21 is currently being presented and contains the limitations of canceled claim 16. Applicant's representative acknowledges with appreciation the Examiner's allowance of claims 10, 11 and 18-20.

35 USC § 121 Restriction Requirement

On March 10, 2004 Applicant's representative made a provisional election to prosecute the invention of the optical fiber enclosure, claims 1, 5-14 and 18-20 in a telephone conversation with the Examiner. Applicant hereby reaffirms the cancelation of claim 16 and elects to prosecute claims 1, 5-14 and 18-20 directed to an optical fiber enclosure.

New claim 21 contains the subject matter of canceled independent claim 16 rewritten so as to be directed to "an optical fiber enclosure having a reversible fiber radius guide...". As such, Applicant does not believe a new search is required by way of this new claim. Furthermore, Applicant believes that claim 21 is allowable. Allowance of claim 21 is respectfully requested.

Claim Rejections – 35 USC § 112

Claims 5 and 6 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Applicant has amended claim 5 and 6 such that "splice door" is now "splice module". This change remedies the antecedent basis issue raised by the Examiner. Allowance of claims 5 and 6 is respectfully requested.

Claim Rejections – 35 USC § 102

Claims 12-14 have been rejected under 35 U.S.C. 102(b) as being anticipated by Vidacovich (US 5,402,515). Claim 12 has been amended such that the claim is now directed to

“A splice module for use within a fiber optic enclosure for facilitating the coupling of optical signals, the splice module comprising”.

While Vidacovich may disclose a module capable of holding one or more splices, the reference does not disclose the elements of Applicant's claim 12. In particular, the Office Action alleges that Vidacovich discloses “a splice module (Fig. 6), including: 1) a management plate adaptively configured for placement in a rear portion of an enclosure (item 20 of Fig. 1), 2) a hingedly-joined splice door 24 for holding optical fiber splices 100 associated with optical signals flowing through at least one of a fiber optic adapter having a fiber optic connector that is associated with a removable fiber optic cassette 24 (col. 6, lines 12-19), and 3) a removable cover (item 26, shown best in Fig. 2) for protecting the fiber optic splices when proximate to the splice door.”

Applicant respectfully disagrees with the above characterization of Vidacovich for at least the following reasons. First, the management portions of Vidacovich are integral to the connector drawers 24 as shown in Figs. 2-4. Furthermore, the connector drawer/management plates of Vidacovich occupy essentially the entire portion of the enclosure into which they are mounted, as is clearly shown in Figs. 9 and 10A. Second, Vidacovich fails to disclose anything resembling Applicant's “hingedly-joined splice door”. The connector drawers of Vidacovich which contain the optical fiber splices also include integral non-hingedly mounted means for managing fiber splices as shown in Figs. 3 and 4. And third, Vidacovich does not disclose a removable cover for protecting fiber optic splices as recited in Applicant's claim 12.

Item 26, as shown in Fig. 2 of Vidacovich, illustrates a front panel 26 hingedly mounted to the primary opening of cabinet 22 to facilitate identification of the trays 24 (Fig. 2, col. 4, lines 23-26). For at least these reasons, Vidacovich fails to teach each and every element of Applicant's claim 12. As such, Vidacovich cannot be used to support a 35 USC § 102(b) rejection of Applicant's amended independent claim 12 or of claim 13 depending therefrom. Applicant respectfully requests reconsideration and allowance of claims 12 and 13.

Claim Rejections – 35 USC § 103

Claims 1 and 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffer (US 5,613,030) in view of Vidacovich. Claim 1 has been amended such that the claim now recites “a plurality of removable optical fiber cassettes having...”.

The Office Action alleges that Hoffer teaches elements of Applicant's claim 1. While Hoffer may disclose a high density fiber optic interconnection enclosure, the reference does not teach elements of Applicant's amended claim 1. The enclosure of Hoffer does not employ a "bulkhead" having an essentially planar surface having openings 50 disposed thereon for receiving at least a portion of a fiber cassette. As shown, for example, by Figs. 1, 3, and 9, Hoffer employs a single large opening occupying essentially the entire internal surface area of enclosure 10. Enclosure 10 also includes pairs of card guides 62, 64 at each card site for retaining cards 100 inside enclosure 10 (col. 4, lines 18-24). In contrast, Applicant's invention employs a "bulkhead having an essentially planar surface, the surface having openings disposed thereon for receiving at least a portion of a fiber cassette" (claim 1, and as shown in Fig. 1).

The Office Action further asserts that Hoffer discloses a hingedly mounted splice module in Fig. 6. Fig. 6 illustrates a fiber optic splice card 100 that is mountable in card guides 62, 64. Nowhere does Hoffer show a fiber optic splice card 100 as being hingedly mounted to the enclosure and further having a management plate associated therewith. As such, Hoffer does not teach "at least one splice module for holding splices, the at least one splice module hingedly mounted to the enclosure and further having a management plate associated herewith" as recited in Applicant's claim 1. Furthermore, Hoffer contains no suggestion to combine with another reference to make up for these, and other, shortcomings in its teachings.

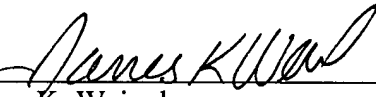
As discussed in connection with the 35 USC § 102(b) rejection of claim 12, Vidacovich fails to teach a hingedly mounted splice module since the splice handling means of Vidacovich is integral and fixed with respect to connector drawers 24. For at least the foregoing reasons, the combination of Hoffer and Vidacovich fail to teach all elements of Applicant's claim 1; and therefore, the 35 USC §103(a) rejection of claim 1 is improper and should be withdrawn. Applicant respectfully requests reconsideration and allowance of amended claim 1 and all claims depending therefrom, namely claims 5-9.

CONCLUSION

In view of the amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone call would expedite the prosecution of this case, the Examiner is invited to call the undersigned at (508) 416-2487.

Respectfully submitted,

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